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Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - -	- x	
	:	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC.,	:	Case No. 08-35653 (KRH)
<u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
- - - - -	- x	

**ORDER PURSUANT TO BANKRUPTCY CODE SECTIONS 105(a) AND  
365(a) AND BANKRUPTCY RULE 6006 AUTHORIZING REJECTION OF  
CERTAIN EXECUTORY CONTRACTS**

Upon the motion (the "Motion")<sup>1</sup> of the Debtors  
for entry of an order, under Bankruptcy Code sections  
105(a) and 365(a) and Bankruptcy Rule 6006, authorizing

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the  
meanings ascribed to such terms in the Motion.

the Debtors to reject certain executory contracts as set forth on the attached Exhibit A, including any amendments or modifications thereto and any and all schedules, supplements, addenda, statements of work or similar attachments thereto (collectively, the "Contracts"), and any guaranties thereof, as of the rejection date specified in Exhibit A for each Contract (the "Rejection Date"); and the Court having reviewed the Motion; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED that:**

1. The Motion is GRANTED.
2. The Contracts and any guaranties thereof are hereby rejected as of the applicable Rejection Date. Nothing in this paragraph 2 shall preclude a

counterparty from seeking rejection damages against a guarantor of a rejected guaranty, in addition to such counterparty's right to seek rejection damages under the Bankruptcy Code.

3. Each counterparty to a Contract or any guaranty thereof shall have until thirty (30) days from the date this Order is entered on the docket to file a proof of claim on account of any and all claims (as defined in the Bankruptcy Code) arising from or related to rejection of its Contract or guaranty.

4. The requirement under Local Bankruptcy Rule 9013-1(G) to file a memorandum of law in connection with the Motion is hereby waived.

5. The Court retains jurisdiction to hear and determine all matters arising from or related to the implementation or interpretation of this Order.

Dated: Richmond, Virginia  
Jul 27 2009, 2009

/s/ Kevin Huennekens  
\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE  
Entered on docket: 7/28/09

WE ASK FOR THIS:

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Counsel to the Debtors  
and Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I  
hereby certify that the foregoing proposed order has  
been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley  
Douglas M. Foley

**EXHIBIT A**

**(Executory Contracts)**

**EXHIBIT A**  
**Contracts**

<b>Contract Counterparty</b>	<b>Contract Type</b>	<b>Contract Description <sup>1</sup></b>	<b>Contract Effective Date</b>	<b>Rejection Date</b>	<b>Address</b>
Omniure, Inc.	Service Order	Master Terms and Ordering Document	6/1/08	7/23/08	550 East Timpanagos Circle, Orem, UT 84097, Attn: Ehren Hozumi
Direct Energy Business Services, Inc., f/k/a Strategic Energy, LLC	Service Agreement	PowerSupply Coordination Service Agreement	3/27/07	7/23/07	Two Gateway Center, Pittsburgh, PA 15222, Attn: Director of Risk Management, Attn: Legal Department
Direct Energy Business Services, Inc., f/k/a Strategic Energy, LLC	Service Agreement	PowerSupply Coordination Service Agreement	3/17/06	7/23/07	Two Gateway Center, Pittsburgh, PA 15222, Attn: Director of Risk Management, Attn: Legal Department

<sup>1</sup> Contracts include any amendments or modifications thereto and any and all schedules, supplements, addenda, statements of work or similar attachments thereto.

Imaged Certificate of Service Page 7 of 7  
**CERTIFICATE OF NOTICE**

District/off: 0422-7  
Case: 08-35653

User: jafarbayj  
Form ID: pdforder

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 28, 2009

The following entities were noticed by first class mail on Jul 30, 2009.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,  
Wilmington, DE 19899-0636

The following entities were noticed by electronic transmission.

NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 30, 2009

Signature:

